

Appendix F

OFFICE OF THE INDEPENDENT POLICE AUDITOR

DATE OF REPORT	RECOMMENDATIONS	SJPD RESPONSES	RESOLUTION PERIOD
1993 1st Quarter Report	Create a new system for the classification of complaints.	Adopted	1st Quarter, 2nd Quarter, and 1994 Year End Report
	Standardize the definition of Procedural and Informal Complaints.	Adopted	2nd Quarter and 1994 Year End Report
	Apply Intervention Counseling to all complaints.	Adopted	2nd Quarter and 1994 Year End Report
	Establish procedures to address potential bias within the Internal Affairs Unit.	Adopted	2nd Quarter and 1994 Year End Report
	Enact policy to ensure objectivity of the intake process.	Adopted	2nd Quarter and 1994 Year End Report
1994 3rd Quarter Report	Establish and comply with a timetable regarding the length of time required for complaint classification and investigation.	Adopted	1994 Year End Report
	Implement citizen "Onlooker Policy".	Adopted	1995 Mid Year Report
	Standardize investigation writing format.	Adopted	1994 Year End Report
	Provide report writing training for "Drunk in Public" cases.	Adopted	1994 Year End Report
	Provide chemical testing for "Drunk in Public" cases.	Not Adopted	
	Send minor complaints to BFO to expedite investigations.	Adopted	1994 Year End Report

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1994 Year End Report	Establish neutrality in the classification of complaints.	Adopted	1994 Year End Report
	Interview complainants and witnesses within three months of complaint initiation.	Adopted	1994 Year End Report
	Contact complainants at regular intervals through updates and closing letters.	Adopted	1994 Year End Report
	Provide a sample of all SJPD Reports to the Police Auditor.	Adopted	1994 Year End Report
	Use of mandatory consent forms for consent searches.	Not Adopted	
	Enact policy for collecting physical evidence in use of force cases and immediate investigation by supervisor.	Adopted	1995 Year End Report
	Write complainant's statement in addition to recording and provide copy to complainant.	Adopted	1994 Year End Report
	Handle Command Review through counseling by Field Supervisor and contact with complainant (where desired).	Adopted	1994 Year End Report
	Revise letters sent to complainants to include information about the IPA's role.	Adopted	1994 Year End Report
1995 Mid Year Report	Maintain a central log of contacts from the public.	Adopted	1995 Year End Report

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1995 Mid Year Report	<p>Obtain additional office space for IA.</p> <p>Require the Police Department to other complainants a choice to file complaints at either IA or IPA.</p> <p>Implement policy to standardize format for officer's interviews.</p> <p>Create policy to require closer scrutiny of strip searches for misdemeanor arrests</p> <p>Revise Off-Duty Employment Practices.</p>	<p>Adopted</p> <p>Adopted</p> <p>Adopted</p> <p>Adopted</p> <p>Adopted</p>	<p>1997 Year End Report</p> <p>1995 Year End Report</p> <p>1995 Year End Report</p> <p>1995 Year End Report</p> <p>1997 Year End Report</p>
1996 Midyear Report	<p>Connect IPA to City of San José's internet network.</p> <p>Conduct preliminary investigation of complaints lacking a signed Boland Admonishment</p> <p>Retain name of officer where Boland Admonishment is not signed (but need not place in personnel file).</p> <p>Require complaint classification to appropriately reflect the nature of the complaint.</p> <p>Implementation and design a new computer database system to link IA to IPA.</p>	<p>Adopted</p> <p>Adopted</p> <p>Not Adopted</p> <p>Adopted</p> <p>Adopted</p>	<p>1997 Year End Report</p> <p>1996 Midyear Report</p> <p>1996 Midyear Report</p> <p>1996 Midyear Report</p> <p>1996 Midyear Report</p>
1996 Year End Report	<p>Implement process for responding to citizen's request for officer identification.</p> <p>Establish Class I and Class II of Use of Force categories of complaints.</p>	<p>Adopted</p> <p>Adopted</p>	<p>1997 Year End Report</p> <p>1996 Year End Report</p>

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1996 Year End Report	<p>Complete Class I Use of Force investigations within 180 days</p> <p>Complete all investigations of citizen complaints within 365 days</p> <p>Establish IPA's authority to audit DI cases with a nexus to a citizen.</p>	<p>Adopted</p> <p>Adopted</p> <p>Adopted</p>	<p>1996 Year End Report</p> <p>1996 Year End Report</p> <p>1997 Year End Report</p>
1997 Year End Report	<p>Establish a procedure to require officers to identify themselves to civilians in writing.</p> <p>When forcibly taking a blood specimen from an uncooperative suspect, do so in an accepted medical environment, according to accepted medical practices and without the use of excessive force.</p> <p>All complaints not covered under a Cardoza exception should be investigated by the IA and reviewed by the Chain of Command within 10 months, allowing the IPA enough time to request additional investigation, if needed.</p> <p>Time limits and a reliable tracking system should be set for every bureau and department involved with the complaint process.</p>	<p>Adopted</p> <p>Adopted</p> <p>Adopted</p> <p>Adopted</p>	<p>1998 Year End Report</p> <p>1998 Year End Report</p> <p>1998 Year End Report</p> <p>1998 Year End Report</p>
1998 Year End Report	Expand IPA jurisdiction to review all officer-involved shootings.	Adopted	1999 Year End Report
1999 Year End Report	Increase the IPA staff, to increase communication and personal contact with individual complaints.	Adopted	2000 Year End Report

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1999 Year End Report	Recommended that the City Council grant the IA subpoena power to compel the attendance of civilian witnesses and to compel the production of documentary or physical evidence.	Adopted	2000 Year End Report
	Amend the Municipal Code to define a citizen complaint audit and clarify that an audit includes follow up investigations.	Not Adopted	
	It is recommended that the SJPD explore the feasibility of implementing a voluntary mediation program within the next six months.	Adopted	2000 Year End Report
	It is recommended that the SJPD design a training course focused specifically on improving day to day verbal communications when dealing with the public.	Adopted	2000 Year End Report
	It is recommended that in cases where the police erred, i.e. the wrong home was searched, an explanation and/or apology be given as soon as possible, preferably at the onset.	Adopted	2000 Year End Report
	It is recommended that motorists be told the reason for the enforcement action such as stop, search, and detention as soon as possible and preferable at the onset.	Adopted	2000 Year End Report
	It is recommended that the SJPD formalize a process whereby an officer is assigned to be the contact person or liaison to family members of people that were killed or died in police custody. This is in effort to assist family and/or provide them with necessary but non-confidential information.	Adopted in practice	2000 Year End Report

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2000 Year End Report	To assure the public that it is safe to file complaints, the Chief of Police should create policy to prohibit actual or attempts to threaten, intimidate, mislead, or harass potential or actual complainants and/or witnesses.	Adopted	2001 Year End Report
	The Chief of Police should include in all citizen complaint printed materials wording that clearly states that "Retaliation against complainants is prohibited. The Chief of Police will not tolerate retaliation, and immediate action will be taken if an officer retaliates against a complainant or witness directly or indirectly," or similar words that emphasize the Chief's position.	Adopted	2001 Year End Report
	The San José Police Department Duty Manual does not include a comprehensive Whistle blower policy. By incorporating federal Whistle-blower guidelines, the Chief of Police should create a comprehensive Whistle Blower policy for the San José Police Department.	Not Adopted but adopted in practice	2001 Year End Report
	The Chief of Police should continue to develop Ethics and Integrity Training to reflect and align with the ethics expected by the citizens of San José.	Adopted	2001 Year End Report
	The Chief of Police should expand the fields for data collection to determine how the individual stopped was treated, i.e. was there a search. This should include search information and the factual basis for a stop, and the action taken by the officer as a result of the stop.	Renewed and Adopted	2001 Year End Report

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2000 Year End Report	Develop a uniform definition of and process for tracking all "Racial Profiling" allegations in all instances where the complainant alleges that his/her vehicle stop or police contact was racially motivated.	Adopted	2001 Year End Report
	The San José Police Department should expand the platform of the database used by the Internal Affairs Unit to facilitate the recording, tracking, and analysis of "Racial Profiling" and all other types of citizen complaints.	In progress	2001 Year End Report
	The San José Police Department's Internal Affairs Unit should formally investigate allegations of officers refusing to identify themselves under an Improper Procedure allegation.	Adopted	2001 Year End Report
	Continue to identify alternate, less lethal weapons, and make them more readily accessible.	Adopted	2001 Year End Report
	Provide specialized training in handling suspects armed with non-automatic projectile weapons.	Adopted	2001 Year End Report
	The Crisis Intervention Team's presence at the scene is very important. Continue to provide special training in identifying and handling suspects with mental illness histories efforts.	Adopted	2001 Year End Report
	Continue to recruit and hire officers with bilingual skills.	Adopted	2001 Year End Report
	The Disciplinary Review Panel should document at the conclusion of the hearing how they reached their findings to enable the IPA to conduct an audit.	Not Adopted	

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2001 Year End Report	A study should be conducted to assess the feasibility of expanding the front lobby to alleviate the crowded conditions that exist.	Adopted	2002 Year End Report
	A separate waiting area should be developed for designated services such as sex offenders waiting to register, criminals waiting to self-surrender, and other people that would pose a threat to the safety of others waiting in the lobby area of the main police station.	Not Adopted	
	An interview room should be made available for desk officers to obtain statements from victims or witnesses of crimes in a private environment.	Adopted	2002 Year End Report
	Additional courtesy telephones should be installed in the Information Center.	Adopted	2002 Year End Report
	Monitors should be installed in the lobby of the San José Police Station displaying information such as activities, services, and meetings taking place in the Police Administration Building.	Pending	
	Access to public restrooms should be made available to the public from the San José Police Station lobby. This would eliminate the requirement to sign-in with desk officers, go through the security gate, and provide access to restricted areas of the police department.	Not Adopted	

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2001 Year End Report	A receptionist should be placed in the San José Police Station lobby to provide assistance and information to the general public.	Pending	
	Customer service training should be developed and desk officers receive initial and ongoing training.	Adopted	2002 Year End Report
	Information Center Sergeants should have the front desk as their primary responsibility and they should be provided office space where they can monitor the activities of the Information Center.	Adopted	2002 Year End Report
	The Chief of Police should implement incentives to attract officers to work at the Information Center.	Pending	
	Develop job descriptions that also include those skills necessary to effectively implement community policing such as communication, conflict resolutions, and interpersonal skills.	Adopted	2002 Year End Report
	Design and implement recruiting strategies that address family related issues.	Adopted	2002 Year End Report
	Revise the policies governing transfer opportunities for SJPD sergeants to require that openings be posted, and that the application and selection process, provide all candidates an equal opportunity for the assignment.	Adopted	2002 Year End Report
	Continue to develop and provide training in communication and interpersonal skills.	Adopted	2002 Year End Report

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	<p>A training program for all SJPD staff members, especially those, who are in positions to provide information to the public, should be instituted and maintained. This is to ensure that accurate and updated information is being provided to the public about the citizen complaint process, the functions of the IPA and IA Unit, and where a complaint can be filed.</p>	Adopted	2002 Year End Report
	<p>The SJPD should compile vehicle stop data on an annual basis so that a comparative analysis can be made.</p>	Adopted	2002 Year End Report
	<p>The Chief of Police should expand the fields for data collection to determine how an individual who has been stopped by the police was treated during the contact, i.e. was a search conducted. The data should include search information, the factual basis for the stop and action taken by the police officer as a result of the stop.</p>	Adopted	2002 Year End Report
	<p>It is recommended that the Chief of Police develop a uniform definition of what constitutes a racially motivated vehicle stop or police contact and a process for tracking all "Racial Profiling" allegations.</p>	Adopted	2002 Year End Report
	<p>The SJPD should expand the platform of the database used by the Internal Affairs Unit to facilitate the recording, tracking, and analysis of "Racial Profiling" and all other types of citizen complaints</p>	Pending	